

WP(C) 396/2007

BEFORE

THE HON'BLE MR. JUSTICE RANJAN GOGOI

Heard Mr.RK Bharali, learned counsel for the petitioner and Mr.R P Kakati, learned counsel appearing for the Respondent Indian Institute of Technology.

As agreed to and having regard to the subject matter involved the writ petition is being disposed of at the admission stage.

An advertisement was published in the newspapers on 12.10.2006 inviting applications, inter alia, for the post of Deputy Registrar in the Indian Institute of Technology in Guwahati. Twenty-seven candidates submitted their applications, which, after being processed, only 3(three) were found to be eligible in terms of the conditions of eligibility laid down in the advertisement dtd 12.10.2006. The petitioner was not included in the aforesaid list of 3 (three) short listed candidates. He, therefore, filed this writ petition seeking a direction from the Court to enable him to participate in the selection process.

The Indian Institute of Technology by filing an affidavit took the stand that the petitioner was a diploma holder in Management from the Assam Institute of Management, Guwahati. The said Institute is a body recognized by the State Government and the diploma obtained by the petitioner is not equivalent to a Master's Degree, which is one of the conditions of eligibility.

The Court by its interim order dated 25.1.2007 directed the authorities of the Indian Institute of Technology to allow the petitioner to take part in the selection/interview and judge his performance on merit and place the result of the same before the Court in a sealed cover. The said direction of the Court has been complied with. On opening the sealed cover, the Court finds that the petitioner has not been selected for appointment on the basis of his merit in comparison to the other candidates.

As the petitioner has not been selected for appointment on the basis of his inter se merit in the interview in which he participated under Court orders, the question raised by the petitioner as to whether the diploma obtained by him is equivalent to a Master's Degree in Management has become academic. The Court certainly is not required to answer an academic question.

For the aforesaid reasons, the Court finds no merit in the writ petition. It is accordingly dismissed with liberty to the Respondent Indian Institute of Technology to proceed in the matter of appointment in the post of Deputy Registrar in accordance with law.